

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DEVINE MARKS,	:	Civil Action No. 4:13-CV-0726
	:	
Plaintiff,	:	(Judge Brann)
	:	
v.	:	
	:	
CONIZEN HEALTH CARE, INC.,	:	
<i>et. al.</i> ,	:	
	:	(Magistrate Judge Schwab)
Defendants.	:	

ORDER

June 19, 2013

BACKGROUND:

The undersigned has given full and independent consideration to the thorough May 24, 2013 report and recommendation of Magistrate Judge Susan E. Schwab. ECF No. 17. Objections to the report and recommendation were due June 10, 2013. No objections have been filed by the plaintiff.

Because this Court agrees with Judge Schwab's thorough analysis, the Court will not rehash the sound reasoning of the magistrate judge and will adopt the report and recommendation in its entirety.

Additionally, this Court will direct Marks as to how to amend his complaint. However, if Marks does not file an amended complaint that complies with the

terms of this Order and the report and recommendation of Magistrate Judge Schwab (ECF No. 17) on or before July 11, 2013, the Court will dismiss the case with prejudice pursuant to Fed. R. Civ. P. 41(b).

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. United States Magistrate Judge Susan E. Schwab's Report and Recommendation is ADOPTED in full. ECF No. 17
2. On or before July 11, 2013, the plaintiff shall file an amended complaint.
3. The plaintiff's amended complaint shall be complete, in and of itself, without reference to any prior filings.
4. The plaintiff's amended complaint must include appropriate allegations of the defendants personal involvement.
5. The plaintiff's amended complaint must specifically state, in separate numbered counts, which constitutional right he alleges the defendant(s) have violated and which defendant(s) they are alleging are involved in each count.
6. In accordance with Fed. R. Civ. P. 8(d), each averment of the plaintiff's amended complaint shall be simple, concise and direct.
7. Should the plaintiff fail to file his amended complaint within the

required time period, or fail to follow the above mentioned procedures, the undersigned will dismiss the action with prejudice.

8. The action is remanded to Magistrate Judge Susan E. Schwab

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge